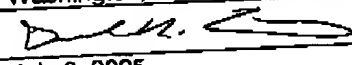



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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/417,845	
		Filing Date	October 14, 1999	
		First Named Inventor	Tatsuya SHIMOJI et al.	
		Group Art Unit	2614	
		Examiner Name	Scott E. Beliveau	
Total Number of Pages in This Submission		22	Attorney Docket Number	742406-2

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input checked="" type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Declaration and Power of Attorney	1. Second Request for Acknowledgement of Information Disclosure Statement
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	2. Copies of October 9, 2002 Information Disclosure Statement (IDS) and PTO Form 1449
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	3. Copies of two (2) documents submitted with the October 2, 2002 IDS
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Donald R. Studebaker, Reg. No. 32,815 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	July 6, 2005

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	 Signature SHOSTONE Abdulkarim Typed or printed name
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306. 7.6.05 Date	

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Docket No. 742406-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 06 2005

In re Patent Application of:

Tatsuya SHIMOJI

Serial No. 09/417,845

Filed: October 14, 1999

For: DIGITAL BROADCAST SYSTEM

)
) Group Art Unit: 2614
) Examiner: Scott E. Beliveau
) Confirmation No.: 8022
) July 6, 2005

**SECOND REQUEST FOR ACKNOWLEDGMENT OF
INFORMATION DISCLOSURE STATEMENT**

MAIL STOP ISSUE FEE
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In response to Applicant's Request for Acknowledgment of the Information Disclosure Statement (IDS) filed on October 9, 2002, section 2 of the Notice of Allowability dated June 7, 2005, indicates that the Examiner was unable to locate the IDS within the file and that the information submitted on July 1, 2004, was considered as being filed for the first time on July 1, 2004. The Examiner also indicated that he would not consider the listed documents because the IDS allegedly failed to comply with 37 C.F.R. §1.98(a)(2).

However, the subject Information Disclosure Statement and Form PTO-1449 were originally submitted to the USPTO on October 9, 2002, along with a copy of each document listed on the Form PTO-1449. Submitted herewith are copies of the October 2, 2002 IDS, the corresponding PTO Form 1449, and the two documents listed on the PTO Form 1449. The Examiner's attention is directed to the certificate of mailing located on the IDS copy, which indicates that the information was deposited with the U.S. Postal Service with sufficient postage on October 9, 2002. Hence, the IDS should be considered as being timely filed before the first action on the merits.

It is respectfully requested that the Examiner consider the information provided with this IDS, enter indication of his consideration into the official record, and return to the undersigned an initialed copy of the Form PTO-1449.

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

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7.6.05
Date

Shoshone Abdulkarim
Shoshone Abdulkarim

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JUL. 6. 2005 4:53PM


866 741 0075

NO. 3733 P. 3

Attorney's Docket No.: 742406-2
Application No.: 09/417,845
Page 2

Should there be any questions concerning this communication, please telephone the undersigned at the number set forth below.

Respectfully submitted,



Donald R. Studebaker
Registration No. 32,815

Nixon Peabody LLP
401 9th Street, N.W.
Suite 900
Washington, DC 20004-2128
(202) 585-8000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tatsuya SHIMOJI et al.
Serial No. 09/417,845
Filed: 10/14/1999
For: DIGITAL BROADCAST SYSTEM

)
) Examiner: Unassigned
) Group Art Unit: Unassigned
)
)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted within three (3) months of the filing of this application or entry into the national stage of this application, or before the first Office Action on the merits, whichever is later, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

The enclosed references were cited in the final Official Action of September 2, 2002 by Japanese Patent Office for the related Japanese patent application Hei 11-291925 that is based on Hei 10-293539.

It is requested that the accompanying information disclosure statement be considered and made of record in the above-captioned application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380.

CERTIFICATE OF MAILING

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3517, on 10/9/02

By: 

Donald R. Studebaker
Registration No. 32,815

NIXON PEABODY LLP
8180 Greensboro Drive, Suite 800
McLean, Virginia 22102
Telephone: (703) 770-9300

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NO. 3733 P. 5

Form PTO-1449
(Rev. 8-83)U.S. Department of Commerce
Patent and Trademark Office

Atty Docket 742406-2

Serial No. 09/417,845

INFORMATION DISCLOSURE STATEMENT

Applicants: Tatsuya SHIMOJI et al.

Filing Date: October 14, 1999

Group Art Unit:
Unassigned

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner
InitialKakiuchi et al., "DVX Technology-Carousel Delivery Mechanism for Interactive Services in Digital Broadcasting",
pp. 36-44, February 1998, Matsushita Technical Journal Vol. 44, No. 1, with English AbstractMunezane et al., "Architecture for Digital STB and Television", pp. 73-80, February 1998, Matsushita Technical
Journal Vol. 44, No. 1

Date Considered

Examiner

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if
and not considered. Include copy of this form with next communication to applicant.

PAGE 5/22 * RCVD AT 7/6/2005 4:42:17 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/1 * DNIS:8729306 * CSID:866 741 0075 * DURATION (mm-ss):08-08

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